

Attorney's Docket 041194-00279165
Client Reference: TYF-9951

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of
KAKIHARA et al.

Confirmation No: 1136

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Application No.: 09/819,827

Group Art Unit: 3623

DEC 01 2004

Filed: March 29, 2001

Examiner: Susanna M. Diaz McIneckes

Title: CHARGING DEVICE FOR TRANSFERRING INFORMATION TO THE
COLLECTION OF A TOLL ON A MOVING BODY

November 3, 2004

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PETITION PURSUANT TO 37 C.F.R. § 1.78 (a) (3)

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria VA 22131-1450

Sir:

I. Petition Request/Remarks

Pursuant to the provisions of 37 C.F.R. § 1.78 (a)(3) and in response to the Notice of Allowance mailed September 7, 2004, Applicants respectfully submit the present petition to correct the claim of priority for the above-identified application.

U.S. Patent Application No. 09/819,827 was filed on March 29, 2001, claiming priority under 35 U.S.C. § 365(e) to PCT International Application No. PCT/JP99/05580 filed on October 8, 1999.

The intent to file this application as a continuation is evidenced by the Application Transmittal Sheet, Item #14 and by the Application Cover Sheet, which identifies this application as a continuing application and incorporates the contents of the parent application by reference. Copies of these papers are attached.

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PAGE 4/16 * RCVD AT 12/1/2004 5:53:51 PM [Eastern Standard Time] * SVR:USPTO-EFAXF-18 * DNS:3729306 * CSD:703 905 2500 * DURATION (mm:ss):04:08

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Upon review of the application in preparation for issuance, Applicants discovered that the statement in the specification identifying this application as a continuation had been inadvertently omitted at the time of filing. Submission of this statement was unintentionally delayed. By this Petition, Applicants are requesting correction and update of the priority information to reflect the original intention of Applicants that this application is a continuation of the parent PCT application under 35 U.S.C. § 365(c) and § 120.

II. Requirement Pursuant to 37 C.F.R. 1.78(a)(3)(I)

Pursuant to 37 C.F.R. §1.78(a)(3)(I), Applicants have submitted herewith an amendment under 37 C.F.R. §1.312 to correct and update the claim of priority in the specification. Applicants respectfully request entry of this amendment.

III. Requirement Pursuant to 37 C.F.R. §1.78(a)(3)(II)

Pursuant to 37 C.F.R. §1.78(a)(3)(ii), the Patent Office is hereby authorized to charge the required fee of 37 C.F.R. §1.17(t), \$1,370, to the undersigned's firm's deposit account, 03-3975, under order no. 041194/0279165.

IV. Requirement of 37 C.F.R. §1.78(a)(3)(III)

Pursuant to 37 C.F.R. §1.78(a)(3)(iii) and in view of the recently discovered error, the Applicants, through their attorney, submit and state that the entire delay between the date the claim was due under 37 C.F.R. §1.78(a)(2)(ii) and the date the claim was completed by submitting the identification to the specification was unintentional.

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V. Conclusion

In view of the foregoing, Applicants respectfully request a favorable decision on this present petition.

Respectfully submitted,
PILLSBURY WINTHROP LLP

By: Caroline D. Dennison
Caroline D. Dennison
Reg. No.: 34494
Tel. No.: (703) 905-2047
Fax No.: (703) 905-2500

CDD/smw

PO Box 10500
McLean, VA 22102
(703) 905-2000

Enclosures: Amendment Under 37 CFR § 1.312
Copies of Application Transmittal Letter
Application Cover Sheet